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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5
Rose
2-7-95

In re Patent Application of)	Group Art Unit: 2615
MOTOKI KATO	)	Examiner: A. RAO
Serial No. 08/180,613	)	<u>SUBSTITUTE INFORMATION</u>
Filed: January 13, 1994	)	<u>DISCLOSURE STATEMENT</u>
For: APPARATUS FOR ENCODING AND)	
DECODING HEADER DATA IN	)	2001 Ferry Building
PICTURE SIGNAL TRANSMISSION)	)	San Francisco, CA 94111

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications
or other information (attached hereto and listed on
the attached Form PTO-1449) of which they are aware
which they believe may be material to the examination
of this application and in respect of which there may
be a duty to disclose in accordance with 37 C.F.R.
§ 1.56.

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SEP 7 1994
FEB 7 1995
MAY 25 1995

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 C.F.R. § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) ☒ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned,

prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$210) set forth in 37 C.F.R. § 1.17(p) or a certification as specified in 37 C.F.R. § 1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$130) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.**

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 C.F.R. § 1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith:

- ☒ each ☐ none ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO form 1449 are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. , filed and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s) [Required]
- ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. § 1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. It is submitted that the

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Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,
LIMBACH & LIMBACH

By: *Charles P. Sammut*
Charles P. Sammut
Reg. No. 28,901
Tel. No. 415-433-4150

January 9, 1995
Our File: SONY-P4021

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks.	
Washington, DC 20231 on	<u>1-9-95</u>
LIMBACH & LIMBACH	
Dated: <u>1-9-95</u>	By <u><i>Don Allen</i></u>
	Name

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	Group Art Unit: 2615
)	
MOTOKI KATO	)	Examiner: ANAND RAO
)	
Serial No. 08/180,613	)	<u>SUPPLEMENTAL</u>
	)	<u>RESPONSE</u>
Filed: January 13, 1994)	
)	
For: APPARATUS FOR ENCODING AND)	
DECODING HEADER DATA IN	)	2001 Ferry Building
PICTURE SIGNAL TRANSMISSION	)	San Francisco, CA 94111
	)	(415) 433-4150

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Submitted herewith is a Substitute Information Disclosure Statement
which lists the same references as listed in the Information Disclosure
Statement mailed on November 14, 1994. The Information Disclosure
Statement mailed on November 14, 1994 included a certification stating that:

No item of information contained in this information disclosure
statement was cited in a communication mailed from a foreign
patent office in a counterpart foreign application or, to the
knowledge of the undersigned after making reasonable inquiry,
was known to any individual designated in 37 C.F.R. §1.56(c)
more than three months prior to the filing of this information
disclosure statement.

Such certification was made in error and without deceptive intent.

Attached hereto as Exhibit A is a Declaration of Charles P. Sammut,
applicant's undersigned attorney, regarding the certification made in error.

The Examiner is respectfully requested to enter the Substitute

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GROUP 2615

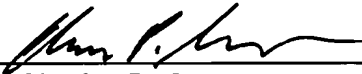
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Information Disclosure Statement and to indicate his consideration of the references cited therein.

Respectfully submitted,
LIMBACH & LIMBACH

Dated: January 9, 1995

By: 
Charles P. Sammut
Reg. No. 28,901

Attorneys for Applicants

Atty Docket No. SONY-P4021

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks,

Washington, DC 20231 on 1-9-95
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Name